

Lawrence B. Brennan (LB 4078)  
Brooke Travis (BT 2355)  
Abigail Nitka (AN 8780)  
Wilson, Elser, Moskowitz, Edelman & Dicker LLP  
Attorneys for NEW YORK ROWING ASSOCIATION, INC. and  
PETER J. SHARP BOATHOUSE, INC.  
150 East 42nd Street  
New York, New York 10017  
(212) 490-3000

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In the Matter of the Complaint of Andrew Harnett, as  
owner of vessel M/V READY JET GO for Exoneration  
from or Limitation of Liability.

and

In the Matter of Peter J. Sharp Boathouse, Inc., as owner of  
the floating vessel constituting the boathouse, seeking  
exoneration from or limitation of liability.

**1:06-cv-00699(LMM)(GWG)**

**consolidated with:**

**1:06-cv-03061(LMM)(GWG), and**

**1:06-cv-03062(LMM)(GWG)**

and

In the Matter of New York Rowing Association, Inc., as  
owner of a 2001, coxless Empacher rowing shell, seeking  
exoneration from or limitation of liability.

-----X  
**AFFIDAVIT OF LAWRENCE B. BRENNAN**

I, Lawrence B. Brennan, being duly sworn and deposed says:

1. I am a member of the Bar of this Court, the firm Wilson Elser Moskowitz  
Edelman & Dicker LLP, and I am the attorney of record for petitioner, Peter J.  
Sharp Boathouse, Inc., and petitioner/claimant New York Rowing Association. I  
am fully familiar with the facts of this matter based upon personal knowledge and  
review of the file maintained by my office.

2. I submit this attorney's affidavit to introduce and to summarize evidence in support of the Motion *in limine* to Preclude the Report and Expert Testimony of Harriet M. Metcalf, the Motion *in limine* to Preclude Claims for Lost Earnings and Lost Inheritance, the Motion for Partial Summary Judgment on Damages, and the Motion for Partial Summary Judgment, which are filed on behalf of the New York Rowing Association and the Peter J. Sharp Boathouse.
3. The following Exhibits are annexed and respectfully submitted:

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|------------------|--|
| <u>Exhibit A</u> | A complete copy of the New York Police Department's Investigation into the events underlying these proceedings   |
| <u>Exhibit B</u> | NOAA Sunrise/Sunset Calculation for October 24, 2005   |
| <u>Exhibit C</u> | Amended Third Party Claims of Nina and Lee Runsdorf against New York Rowing Association and Peter Jay Sharp Boathouse, Inc. in the Limitation Petition of Andrew Harnett, dated June 3, 2009   |
| <u>Exhibit D</u> | Photographs of the vessels involved in the collision on October 24, 2005   |
| <u>Exhibit E</u> | Inland Navigation Rules, Rule 25(d)  |
| <u>Exhibit F</u> | Deposition Excerpt, Mr. Vincent Houston  |
| <u>Exhibit G</u> | Deposition Excerpt, Mr. Edward Joyce   |
| <u>Exhibit H</u> | Runsdorf's Expert Report by Captain Ahlstrom, dated March 14, 2011   |
| <u>Exhibit I</u> | Runsdorf's Expert Report by Harriet M. Metcalf, dated March 10, 2011   |
| <u>Exhibit J</u> | Runsdorf's Expert Report by Stephen W. Shulman, dated March 18, 2011. (Includes report and certain exhibits and appendices contained in pages 1-47; additional appendices have been omitted for brevity but were circulated to all parties during discovery) |
| <u>Exhibit K</u> | Ken Cohen Summary, E-Mails   |
| <u>Exhibit L</u> | Court Order, dated February 4, 2011  |

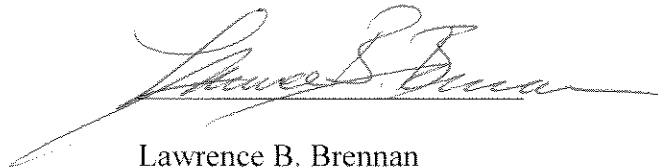
Exhibit M Correspondence with the Court and Parties Regarding Damages Documentation

Exhibit N Runsdorf Document Index

Exhibit O Excerpts from 2008 Tax Returns of Nina, Katherine and Alexa Runsdorf

Exhibit P Deposition Excerpt, Ms. Nina Runsdorf

WHEREFORE, it is respectfully requested that the Court grant the Motion *in limine* to Preclude the Report and Expert Testimony of Harriet M. Metcalf, the Motion *in limine* to Preclude Claims for Lost Earnings and Lost Inheritance, the Motion for Partial Summary Judgment on Damages, and the Motion for Partial Summary Judgment, filed on behalf of the New York Rowing Association and the Peter J. Sharp Boathouse, and grant the Rowing Association and the Boathouse such other and further relief as may be just and proper.



Lawrence B. Brennan

Sworn to before me

this 28 day of September, 2011.



Notary Public

Robert M. Mazzei  
Notary Public, State of New York  
No. # 02MA6201061  
Qualified in Nassau County  
Commission Expires in 02/17/20 13

**CERTIFICATE OF SERVICE**

I, Brooke Travis, hereby certify that I electronically filed the attached Attorney's Affidavit of Lawrence B. Brennan in Support of the Motion *in limine* to Preclude the Report and Expert Testimony of Harriet M. Metcalf, the Motion *in limine* to Preclude Claims for Lost Earnings and Lost Inheritance, the Motion for Partial Summary Judgment on Damages, and the Motion for Partial Summary Judgment, filed on behalf of the New York Rowing Association and the Peter J. Sharp Boathouse, with the Clerk of the Court using the CM/ECF system which will send notification of such filing electronically to the following:

Marc Jay Bern, Esq.  
Marina Zapantis, Esq.  
Napoli Bern Ripka, LLP  
*Attorneys for the Runsdorf Claimants*  
350 5th Ave., Ste. 7413  
New York, New York 10118

Jacob Shisha, Esq.  
Tabak, Mellusi & Shisha  
*Attorneys for the Runsdorf Claimants*  
29 Broadway  
New York, New York 10006

James E. Mercante, Esq.  
Michael Evan Stern, Esq.  
Rubin, Fiorella & Friedman, LLP.  
*Attorneys for Mr. Andrew Harnett*  
292 Madison Avenue, 11th Fl.  
New York, New York 10017

/s/ Brooke Travis \_\_\_\_\_